
Introduced Version

**HOUSE CONCURRENT
RESOLUTION No. _____**

DIGEST OF INTRODUCED RESOLUTION

A CONCURRENT RESOLUTION urging all agents of the United States government to cease and desist immediately any and all mandates that are beyond the scope of their constitutionally delegated power.

Thompson

_____, read first time and referred to Committee on

20101413

2010

HC 1003/DI 84+



HOUSE CONCURRENT RESOLUTION

A CONCURRENT RESOLUTION urging all agents of the United States government to cease and desist immediately any and all mandates that are beyond the scope of their constitutionally delegated power.

Whereas, The Tenth Amendment to the Constitution of the United States specifically provides that, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people";

Whereas, The Tenth Amendment defines the total scope of federal power as being those powers specifically granted to it by the Constitution of the United States and no more;

Whereas, The scope of power defined by the Tenth Amendment means that the federal government was created by the states specifically to be an agent of the states;

Whereas, In 2009, the states are demonstrably treated as agents of the federal government;

Whereas, Many federal laws are directly in violation of the Tenth Amendment to the Constitution of the United States;

Whereas, The Tenth Amendment assures that we, the people of the United States of America and each sovereign state in the Union of States, have now, and have always had, rights the federal government may not usurp;

Whereas, Article IV, Section 4, of the Constitution of the



United States says, "The United States shall guarantee to every State in this Union a Republican Form of Government," and the Ninth Amendment states that, "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people";

Whereas, The United States Supreme Court has ruled in New York v. United States, 112 S. Ct. 2408 (1992) that Congress may not simply commandeer the legislative and regulatory processes of the states; and

Whereas, A number of proposals from previous presidential administrations and some now pending from the present administration and from Congress may further violate the Constitution of the United States and infringe upon Indiana's reserved powers: Therefore,

*Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana,
the Senate concurring:*

- 1 SECTION 1. That the Indiana General Assembly hereby claims
- 2 sovereignty under the Tenth Amendment to the Constitution of the
- 3 United States over all powers not otherwise delegated to the federal
- 4 government by the Constitution of the United States and demands the
- 5 federal government halt and reverse its practice of assuming powers
- 6 and of imposing mandates upon the states for purposes not enumerated
- 7 by the Constitution of the United States.
- 8 SECTION 2. That this resolution serves as notice and demand to the
- 9 federal government, as our agent, to cease and desist, effective
- 10 immediately, mandates that are beyond the scope of these
- 11 constitutionally delegated powers.
- 12 SECTION 3. That all compulsory federal legislation that directs
- 13 states to comply under threat of civil or criminal penalties or sanctions
- 14 or that requires states to pass legislation or lose federal funding be
- 15 prohibited or repealed.
- 16 SECTION 4. That the Principal Clerk of the House of
- 17 Representatives transmit a copy of this resolution to the President of
- 18 the United States, the President of the United States Senate, the
- 19 Speaker of the United States House of Representatives, and each
- 20 member of the Indiana congressional delegation with the request that
- 21 this resolution be officially entered in the Congressional Record as a



1 memorial to the Congress of the United States of America.



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